

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00338-CV

Habib Surani and H.S.N. Enterprises, Appellants

v.

Susan Combs, Comptroller of Public Accounts of the State of Texas, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 200TH JUDICIAL DISTRICT
NO. D-1-GN-11-001941, HONORABLE JOHN K. DIETZ, JUDGE PRESIDING**

MEMORANDUM OPINION

Habib Surani and H.S.N. Enterprises (collectively “Surani”) have failed to prosecute this appeal. Surani’s brief was due on October 26, 2012. On December 19, 2012, this Court’s clerk sent Surani a notice informing him that his brief was overdue and cautioned that the appeal could be dismissed for want of prosecution unless he filed a response reasonably explaining his failure to file a brief. The response was due by December 31, 2012. Surani has not responded to the notice, nor has he filed a brief. Accordingly, we dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 42.3(b), (c).

J. Woodfin Jones, Chief Justice

Before Chief Justice Jones, Justices Goodwin and Field

Dismissed for Want of Prosecution

Filed: January 25, 2013